W.P. No. 1276 of 2004 (M/S)

Hon. P.C. Pant, J.

By means of this writ petition, the petitioner has sought mandamus restraining the respondents from recovering the dues on account of loan taken by the petitioner from the bank.

Heard learned counsel for the petitioner.

Admittedly, the petitioner has taken loan from the bank. It is not the case of the petitioner that he has paid of the loan alongwith interest. As such, the writ petition is devoid of merits.

Accordingly, the same is dismissed in limine with the observation that if the petitioner pays the amount mentioned in the citation in four equal installments within a period of one year, no coercive measures be used for the recovery. The first instalment which shall be one-fourth of the amount mentioned in the citation shall be paid by the petitioner by 31st December 2004 and next instalments after three month and so on.

If any default is committed in payment of the instalment the entire amount mentioned in the impugned citation shall be recoverable together.

(P.C. Pant, J.)

Dt. 07.12.2004

HN